

Ms Golota called because the amendment filed 7-28-2009 was thought to have been sent in response to a non-final Office Action rather than to a Final Office Action, whereas the Advisory Action mailed 8-10-2009 was a response to an Amendment after Final Rejection.

Examiner Berman found that the Advisory Action mailed 8-10-09 was an inadvertent error. The non-final Office Action mailed 02-03-2009 had been incorrectly entered in the PALM system as a Final Rejection, although the cover letter showed a Non-Final Rejection and there was no final rejection paragraph in the body of the Office Action.

Applicant filed an amendment in response to the Office Action mailed 2-3-09 in consideration of the Non-Final documents received.

The amendment received 7-28-2009 was entered as an Amendment after Final Rejection because of the incorrect final status discussed above, thus generating an Advisory Action in response. The Advisory Action was mailed 08-10-2009.

The 3-2-2009 Final Rejection status has now been corrected to a Non-Final Action status. The status of the amendment received 7-28-2009 has been changed to a response to the 3/2009 non-final rejection.

The Advisory Action mailed 08-10-2009 has been withdrawn.

Applicant's 7-28-2009 amendment will be reconsidered by the Examiner and a response mailed to applicant. The time period for response will be reset to start from the mailing date of the Examiner's response to Applicant's amendment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to /Susan W. Berman/ whose telephone number is 571 272 1067.

The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571 272 1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SB  
8/10/2009

/Susan W Berman/  
Primary Examiner  
Art Unit 1796